

**CONFERENCE COMMITTEE REPORT
DIGEST FOR ESB 172**

Citations Affected: IC 9-30-10-5.

Synopsis: Operating a vehicle while intoxicated. Provides that a person who causes the death of another person while operating a motor vehicle: (1) while intoxicated; or (2) with a prohibited alcohol concentration; commits a Class B felony. Requires a court to recommend lifetime suspension of driving privileges for a person who has two convictions of operating a motor vehicle while intoxicated and causing death. **(This conference committee report requires a court to recommend lifetime suspension of driving privileges for a person who has two convictions of operating a motor vehicle while intoxicated and causing death.)**

Effective: July 1, 2003.

Adopted

Rejected

CONFERENCE COMMITTEE REPORT

MR. SPEAKER:

Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill No. 172 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Page 2, between lines 10 and 11, begin a new paragraph and insert:
- 2 "SECTION 2. IC 9-30-10-5 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 5. (a) If it appears from
- 4 the records maintained in the bureau that a person's driving record
- 5 makes the person a habitual violator under section 4 of this chapter, the
- 6 bureau shall mail a notice to the person's last known address that
- 7 informs the person that the person's driving privileges will be
- 8 suspended in thirty (30) days because the person is a habitual violator
- 9 according to the records of the bureau.
- 10 (b) Thirty (30) days after the bureau has mailed a notice under this
- 11 section, the bureau shall suspend the person's driving privileges for:
- 12 (1) **except as provided in subdivision (2),** ten (10) years if the
- 13 person is a habitual violator under section 4(a) of this chapter;
- 14 (2) **life if the person is a habitual violator under section 4(a) of**
- 15 **this chapter and has two (2) or more violations under section**
- 16 **4(a)(4) through 4(a)(7) of this chapter;**
- 17 (3) ten (10) years if the person is a habitual violator under section
- 18 4(b) of this chapter; or
- 19 ~~(3)~~ (4) five (5) years if the person is a habitual violator under
- 20 section 4(c) of this chapter.
- 21 (c) The notice must inform the person that the person may be entitled

- 1 to relief under section 6 of this chapter or may seek judicial review of
- 2 the person's suspension under this chapter."
- 3 Renumber all SECTIONS consecutively.
(Reference is to ESB 172 as reprinted April 11, 2003.)

Conference Committee Report
on
Engrossed Senate Bill 172

Signed by:

Senator Young R Michael
Chairperson

Representative Oxley

Senator Howard

Representative Bosma

Senate Conferees

House Conferees